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February 7, 2003

Ms. Marlene H. Dortch  
Federal Communications Commission  
Office of the Secretary  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554

**NOTICE OF EX PARTE  
PRESENTATION**

RE: CC Docket No. 01-338---In the Matter of Review of the Section 251 Unbundling Obligations of Incumbent Local Exchange Carriers.  
CC Docket No. 96-98---Implementation of the Local Competition Provisions of the Telecommunications Act of 1996.  
CC Docket No. 98-147---Deployment of Wireline Services Offering Telecommunications Capability.  
CC Docket No. 02-33---Appropriate Framework for Broadband Access to the Internet over Wireline Facilities.

Dear Ms. Dortch:

This is to provide notice in the above-mentioned proceedings of an ex parte meeting on February 6, 2003, between Mr. Russell Stevenson, Senior Vice President and General Counsel, and Ms. Barbara DuChes, Government Affairs Manager, CIENA Corporation and Mr. William Maher, Bureau Chief, and Mr. Scott Bergmann, Legal Counsel to the Bureau Chief, Wireline Competition Bureau. The purpose of the meeting was to discuss the attached presentation, which is being filed in the above-listed dockets.

During the meeting, CIENA made the following points: in order for carriers and telecommunications equipment vendors to recover from the recent industry downturn, there needs to be a stable regulatory environment that will:

- Foster healthy competition, and
- Encourage new capital investment in facilities that will enable carriers to reduce operating expenses by upgrading legacy equipment with intelligent, next-generation networks, and to increase revenues by becoming technologically and economically able to offer new, diversified and/or advanced, high-speed services to a wider range of business and residential customers.

Additionally, On February 5, 2003, this ex parte presentation was sent electronically to Mr. Daniel Gonzales, Senior Legal Advisor to The Honorable Kevin Martin, in preparation for a teleconference that, due to scheduling constraints, Mr. Gonzales was unable to attend.

Pursuant to Section 1.1206 of the Commission's rules, this notice and presentation are being submitted for inclusion in the public record of each of the above-mentioned proceedings. If there are any questions regarding this submission, please contact me at the above number.

Respectfully submitted,

Barbara DuChes  
Government Affairs Manager

Enclosures: Eight (four originals and four copies)